

Introduced by Senator Ortiz

February 22, 2006

An act to add Section 35179.05 to the Education Code, relating to athletic eligibility.

LEGISLATIVE COUNSEL'S DIGEST

SB 1411, as introduced, Ortiz. Interscholastic athletics: transfer eligibility.

Existing law grants a school district governing board general control of interscholastic athletic policies, programs, and activities in its district, including eligibility. Existing law authorizes governing boards to enter into associations with other boards for the purpose of governing interscholastic athletic programs by permitting the schools under their jurisdictions to enter into voluntary associations with other schools related to eligibility for, and participation in, interscholastic athletic programs. Existing law permits pupils to transfer from one school to another based on certain conditions.

This bill would require all voluntary interscholastic athletic associations of which secondary schools are members to permit a pupil to retain immediate eligibility to participate in any sport after his or her first transfer for any reason from one school to another school, as specified, unless the pupil transfers for disciplinary reasons. The bill also would require all voluntary interscholastic athletic associations of which secondary schools are members to authorize the school from which the pupil transfers to protest this automatic eligibility to the association of which it is a member if the school believes the pupil was recruited to transfer to the other school in order to participate in a sport in which the pupil participated at the school from which the pupil transferred.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 35179.05 is added to the Education
2 Code, to read:
3 35179.05. All voluntary interscholastic athletic associations
4 of which secondary schools are members shall comply with the
5 following:
6 (a) A pupil shall retain his or her eligibility to participate,
7 including at the varsity level, in any sport after his or her first
8 transfer in four years for any reason from one school to another
9 school, unless the pupil transfers for disciplinary reasons.
10 (1) No period of time shall be required to pass prior to the
11 pupil participating in any sport at the school to which the pupil
12 transfers.
13 (2) This subdivision shall apply even if a pupil transfers from
14 a private school to a public school or a public school to a private
15 school.
16 (3) A voluntary interscholastic athletic association of which
17 secondary schools are members may choose not to comply with
18 subdivision (a) regarding any additional transfer beyond the first
19 transfer of a pupil in four years.
20 (b) A school from which a pupil transfers shall have the right
21 to protest the automatic retention of eligibility described in
22 subdivision (a) to the voluntary interscholastic athletic
23 association of which it is a member if the school believes the
24 pupil was recruited to transfer to the other school in order to
25 participate in a sport in which the pupil participated at the school
26 from which the pupil transferred.

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